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Attorneys for Permanent Receiver  
**ROBB EVANS & ASSOCIATES LLC**

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,  
Plaintiff,

v.

IVY CAPITAL, INC., etc., et al.,  
Defendants, and

CHERRYTREE HOLDINGS, LLC,  
etc., et al.

Relief Defendants.

CASE NO. 2:11-cv-00283-JCM-GWF

**ORDER (1)**  
**APPROVING AND**  
**AUTHORIZING PAYMENT OF**  
**RECEIVER'S AND**  
**PROFESSIONALS' FEES AND**  
**EXPENSES FROM APRIL 1, 2011**  
**THROUGH AUGUST 31, 2012;**  
**AND (2) GRANTING RELIEF**  
**FROM LOCAL RULE 66-5**  
**PERTAINING TO NOTICE TO**  
**CREDITORS**

The matter of the Motion for Order (1) Approving and Authorizing Payment of Receiver's and Professionals' Fees and Expenses From April 1, 2011 Through August 31, 2012; and (2) Granting Relief from Local Rule 66-5 Pertaining to Notice to Creditors ("second fee motion") filed by Robb Evans & Associates LLC ("receiver") as receiver of Ivy Capital, Inc. and other related and affiliated entities

1 pursuant to the Preliminary Injunction issued March 25, 2011, came on regularly  
2 before the court, the Honorable James C. Mahan, United States District Judge  
3 presiding. The court, having reviewed and considered the second fee motion and  
4 all pleadings and papers filed in support thereof, and responses, if any, to the  
5 second fee motion, and good cause appearing therefor,

6 IT IS ORDERED that:


7 1. The second fee motion and all relief sought therein is granted;

8 2. Without limiting the generality of the foregoing:

9 A. The receivership fees and expenses incurred for the seventeen-month  
10 period from April 1, 2011 through August 31, 2012 ("expense period"), including  
11 the fees of the receiver, the receiver's members and staff in the sum of \$368,269.08  
12 and receiver's costs in the sum of \$21,160.12, fees in the sum of \$225,857.70 and  
13 costs in the sum of \$27,525.72 of the receiver's lead counsel McKenna Long &  
14 Aldridge LLP, and fees and costs of the receiver's local counsel Kolesar &  
15 Leatham, Chtd. of \$139.59, for total receiver's fees and expenses incurred in the  
16 expense period of \$642,952.21 are hereby approved and authorized to be paid from  
17 assets of the receivership; and

18 B. Notice of the second fee motion is hereby deemed to be sufficient  
19 under Local Civil Rule 66-5 based on the service of the notice of the filing of the  
20 second fee motion and the second fee motion motion on all parties and service of  
21 the notice of the filing of the second fee motion on all known non-consumer  
22 creditors of the estate.

23  
24 DATED: December 18, 2012.

  
The Honorable James C. Mahan  
United States District Court Judge

CERTIFICATE OF SERVICE

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 300 South Grand Avenue, 14<sup>th</sup> Floor, Los Angeles, CA 90071.

On October 18, 2012, I served the **[PROPOSED] ORDER (1) APPROVING AND AUTHORIZING PAYMENT OF RECEIVER'S AND PROFESSIONALS' FEES AND EXPENSES FROM APRIL 1, 2011 THROUGH AUGUST 31, 2012; AND (2) GRANTING RELIEF FROM LOCAL RULE 66-5 PERTAINING TO NOTICE TO CREDITORS** upon the parties and/or counsel listed and by the methods indicated on the attached Service List.

I declare upon the penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed on October 18, 2012 at Los Angeles, California.

/s/ Pamela A. Coates  
Pamela A. Coates

## SERVICE LIST

The following CM/ECF participants were served by electronic means on October 18, 2012:

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11 The following non-CM/ECF participant was served by first-class mail,  
12 postage prepaid on October 18, 2012:

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